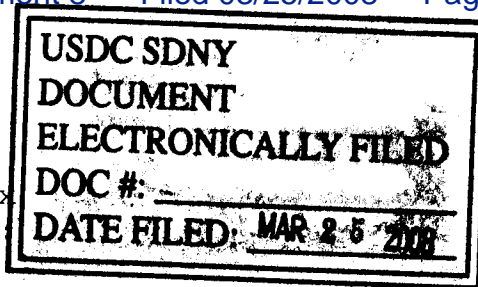


JUDGE KEENE



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSE ALICEA,  
a/k/a "Pedro Feliciano,"

Defendant.

INDICTMENT

08 Cr.

**08 CRIM 264**

COUNT ONE

The Grand Jury charges:

1. From in or about January 2008 through on or about February 1, 2008, in the Southern District of New York and elsewhere, JOSE ALICEA, a/k/a "Pedro Feliciano," the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of such conspiracy that JOSE ALICEA, a/k/a "Pedro Feliciano," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACT

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York:

a. On or about February 1, 2008, in or around the Bronx, New York, JOSE ALICEA, a/k/a "Pedro Feliciano," the defendant, signed for an accepted a package that contained sham cocaine.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JOSE ALICEA, a/k/a "Pedro Feliciano," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Asset Provision

i. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or

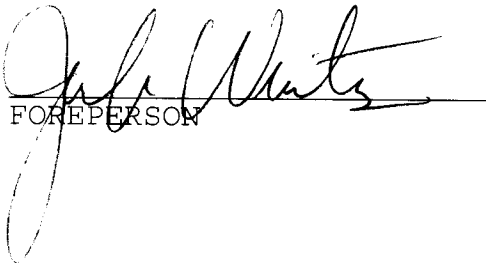
deposited with, a third person;

(3) has been placed beyond the jurisdiction  
of the Court;

(4) has been substantially diminished in  
value; or

(5) has been commingled with other property  
which cannot be subdivided without difficulty;  
it is the intent of the United States, pursuant to 21 U.S.C. §  
853(p), to seek forfeiture of any other property of said  
defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846, and 853.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

JOSE ALICEA,  
a/k/a "Pedro Feliciano,"

Defendant.

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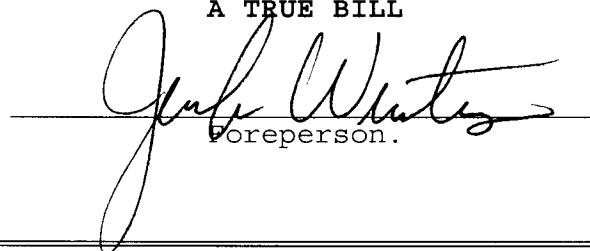
INDICTMENT

08 Cr. \_\_\_\_\_

(Title 21, United States Code,  
Section 846)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

  
Foreperson.

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FOREPERSON  
MICHAEL J. GARCIA

United States Attorney

Filed indictment - Case assigned to Judge Keenan.  
- AJP